

Docket No. F-6916

Ser. No. 09/815,571

**REMARKS**

Claims 1-20 remain in this application. Claims 1, 8, 15 and 18-20 are rejected. Claims 2-7, 9-14, 16 and 17, directed to non-elected species, are withdrawn from consideration. Claims 1, 8, 15 and 18-20 are amended herein to clarify the invention, and to address matters of form unrelated to substantive patentability issues.

Claims 1, 8, 15 and 18-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Saikawa et al. (European Patent Application No. EP 0952555)

The Examiner's rejection is respectfully traversed in view of the amended claims. Claim 1 is amended to recite that the game system comprises a game control device including a position determining device for determining a view point position between a first view point position which is a back and slightly inclined position toward a moving direction of an object to view an observation point set forward of the object moving to the moving direction, and a second view point position from which the observation point is viewed fixed in a lateral direction to the moving direction regardless of the movement of the object in accordance with a state of the object. The game control device also includes a switch control device for switching between the first view point position and the second view point position when the object reaches a predetermined position. Independent claims 8 and 15 are amended to include similar features.

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The feature of the second view point position (P2) providing a view in a lateral direction to the moving direction of the object (the aslant and side view point) is described in the substitute specification at page 15, lines 11-19 with reference to Fig. 4. The feature of the switch control device switching between the first and second view points based on the object reaching a predetermined position is described in the substitute specification at page 16, lines 18-27.

An advantage obtained by a game control device having these features is that a varying visual field image including the moving object is provided wherein view point positions are switched smoothly when the moving object reaches a predetermination position.

Saikawa et al. does not disclose a game control device including all of the above features, in particular, a second view point position providing a fixed view from a lateral direction to the moving direction of an object and switching to and from this second view point position based on the object reaching a predetermined position.

Saikawa et al. describes an image processor for a game system in which a pitcher is throwing a ball to a batter operated by a player (Figs. 17-21). The camera position varies between positions C1, C2 and C3 depending on the status of the pitcher (see Fig. 21). Position C1 corresponds to a position taken from the place where a catcher would be situated, i.e., a catcher position (see Fig. 17). Position C2 is a position in which the pitcher begins the pitching motion (see Fig. 18). Position

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C3 is a position in which the ball is in motion to the batter (see Fig. 19). Position C2 is elevated from position C1 and position C3 is elevated from position C2 (see Fig. 20).

As clearly shown in Fig. 20, all of the view point positions C1, C2 and C3 are taken from behind the batter. Thus, Saikawa et al. does not disclose a second view point position from which an observation point is viewed fixed in a lateral direction to the moving direction of the object (as set forth in claims 1, 8 and 15). Such a second view point position would be one taken from a position between the batter and pitcher and Saikawa et al. does not teach or suggest any such view point position.

In the absence of a disclosure of second view point position as claimed, Saikawa et al. cannot disclose switching to and from such a view point position based on the position of the object relative to a predetermined position.

Since Saikawa et al. does not disclose all of the features now set forth in claims 1, 8 and 15, it cannot render obvious the embodiments of the invention set forth in these claims and claims 18-20 which depend therefrom.

Moreover, Saikawa et al. does not disclose the features of claims 18-20 which recite generally that the second view point position is determined as a position aslant and to a side of the object such that the side of the object is viewed on the game screen. As shown in Figs. 17-19 of Saikawa et al., the side of the batter is not shown but rather in view of the placement of the camera positions C1, C2 and C3 behind the batter (see Fig. 20), only the back of the batter is shown.

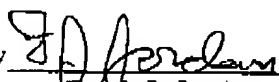
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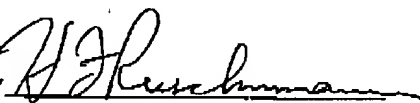
In view of the changes to the claims and the arguments presented above, it is respectfully submitted that the Examiner's rejection of claims 1, 8, 15 and 18-20 under 35 U.S.C. §103(a) as being unpatentable over Saikawa et al. has been overcome and should be removed.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
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